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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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October 14, 1981

MEMORANDUM FOR: JAMES L. BUCKLEY
NICHOLAS A. VELIOTES
RICHARD R. BURT
FRED C. IKLE
FRANCIS J. WEST, JR
RICHARD V. SECORD
JAMES I GRANGER
ARCH TURRENTINE

SUBJECT: Saudi AWACS

Attached is a copy of the Mattingly-Quayle certification request. You should consider it when reviewing the current draft of the Presidential assurances.

Bob Kimmitt
Robert M. Kimmitt

Attachment

LIMITED OFFICIAL USE

Mattingly + Quayle 10-14-81

REQUEST FOR PRESIDENTIAL CERTIFICATION
OF ISSUES RELATING TO THE PROPOSED
SALE OF AWACS

The undersigned members of the United States Senate, will be disposed to accept that sale, if, prior to the Senate's vote on the proposal, the President has submitted, under his signature, a written commitment of his office to the Congress that no transfer of such equipment will actually take place except on terms and conditions consistent with the requirements of the Arms Export Control Act, and that no such equipment will be delivered until the President shall have informed the Congress in writing that at least the following conditions have been met by the receiving nation:

1. Security of U. S. Technology.

A. A detailed plan for the security of the equipment and supporting documentation has been agreed to by the United States and the receiving nation; and that

B. Such security provisions are no less stringent than measures employed by the United States for the protection and control of its equipment of like kind elsewhere in the world outside of the continental limits of the United States; and that

C. The United States shall have the right to regularly inspect the equipment during its useful life.

D. That the recipient foreign nation will not permit citizens of third nations either to perform maintenance on such equipment or to modify any such equipment, without prior explicit consent of the President.

2. Access to Information.

A. That the recipient foreign nation has agreed to share with the United States continuously, completely, and in a timely fasion the information which it acquires from the use of such equipment.

3. Control Over Third-County Participation.

A. That the recipient foreign nation has agreed not to share access to any such equipment, technology, documentation, or any information developed from such equipment or technology with any nation other than the United States without the prior explicit consent of the President.

B. That there is in place adequate and effective procedures for the screening and security clearance of citizens of the recipient foreign nation, and unconditional assurances that only such cleared citizens of that nation and cleared nationals of the United States will have access to the equipment, technology documentation, or information derived therefrom, without the prior explicit consent of the President.

4. AWACS Flight Operations.

A. That all such equipment shall be operated solely within the boundaries of the receiving nation, except with the advance explicit consent of the President of the United States, and solely for defensive purposes.

5. Assurance of Commitments.

A. The President shall certify that above arrangements are of such a nature as to ensure that the commitments outlined above will be honored.

6. Regional Peace and Security.

A. That the sale contributes directly to the stability and secruity of the area, enhances the atmosphere and prospects for progress toward peace, and that the recipient foreign country has continued substantial assistance toward those goals.